

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|   |                                      |
|---|--------------------------------------|
| -----   | X                                    |
| DEUTSHE BANK TRUST COMPANY                                  | :                                    |
| AMERICAS, in its capacity as successor indenture            | :                                    |
| trustee for certain series of Senior Notes, <i>et al.</i> , | :                                    |
|   | :                                    |
| Plaintiffs,   | : Case No. 1:11-cv-04784-RJH         |
|   | :                                    |
| -against-   | :                                    |
|   | : <b><u>NOTICE OF APPEARANCE</u></b> |
| ADALY OPPORTUNITY FUND TD SECURITIES                        | :                                    |
| INC. C/O ADALY INVESTMENT MANAGEMENT                        | :                                    |
| CO., <i>et al.</i> ,  | :                                    |
|   | :                                    |
| Defendants.   | :                                    |
| -----   | X                                    |

PLEASE TAKE NOTICE of the appearance of the undersigned counsel on behalf of Investment Technology Group, Inc. (sued as Investment Tech Group, Inc.) and ITG Inc. in the above-captioned action. I certify that I am admitted to practice in this Court and hereby request that all notices, pleadings and other documents served or filed in this case be served upon the address set forth below.

Dated: November 8, 2011

/s/ Donald M. Badaczewski  
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